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Typed Name:

Kevin D. McCarthy
December 8, 2008

0-05-106 - 15524/US/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Joshi et al.
Serial no.: 10/541,011
I.A. Filed: December 29, 2003
Title: ENHANCED GENERATION OF HYDROXYL RADICALS
Examiner: Edna Wong
Art Unit: 1795
Confirmation: 9060

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

Response

This response is in reply to the office action mailed on August 26, 2008.

Amendments

Please amend claim 1 as shown on the enclosed amended pages.

Claims Rejection – 35 USC § 103

Claims 1-2, 4-6 and 8-17 are rejected as being unpatentable over CS 274995 (CS '995) in combination with Parrish (US 6,793,903) and Jen et al, J. of Chrom. A, Vol. 796 (1998), pp. 283-288.

The Examiner states, the last paragraph on page 5, that it would have been obvious to modify the catalyst described in CS '995 according to Parrish and Jen. Applicant appreciates that CS '995 according to Parrish fails to render obvious the claimed invention as confirmed by the Examiner at page 3 (lines 11-13).

The Applicant respectfully submits the following facts about CS '995, Parrish and Jen that confirm that these claims teach away from the claimed invention:

- CS 274995 does not mention the **generation** of hydroxyl radicals and therefore the Examiner errs on page 4, lines 8-10 of the Office Action when alleging that "CS '995 teaches a method for enhancing the generation of hydroxyl radicals". CS '995 relates in fact to a method of photo-oxidation of complex-forming substances with oxygen or with oxygen and an initiating hydrogen peroxide additive in the presence of ions of iron, copper and nickel as photocatalysts (see page 1, lines to 4). The Applicant also notes that the translation provided to the Examiner is incorrect, since oxygen is erroneously translated as "acid".
- However, the Applicant agrees with the Examiner's note on page 13, lines 4-5, stating that in view of the present components (Fe^{2+} , H_2O_2 , UV-